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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/730,780

12/09/2003

Shawn Close

200311406-1

4827

22879

7590

02/22/2005

HEWLETT PACKARD COMPANY  
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INTELLECTUAL PROPERTY ADMINISTRATION  
FORT COLLINS, CO 80527-2400

EXAMINER

FERGUSON, MARISSA L

ART UNIT

PAPER NUMBER

2854

DATE MAILED: 02/22/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

CT

<b>Office Action Summary</b>	<b>Application No.</b> 10/730,780	<b>Applicant(s)</b> CLOSE ET AL.	
	<b>Examiner</b> Marissa L. Ferguson	<b>Art Unit</b> 2854	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 09 December 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 9-14 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☒ Claim(s) 1-8 are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 December 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |                                                                                                                                              |                                                                                         |
|----------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                                                  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                                         | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>12/9/03</u> . | 6) <input type="checkbox"/> Other: _____                                                |

## DETAILED ACTION

### *Election/Restrictions*

1. Restriction to one of the following inventions is required under 35 U.S.C. 121:
  - I. Claims 1-8, drawn to a bearing, classified in class 384, subclass 193.
  - II. Claims 9-14, drawn to a sheet media feed mechanism, classified in class 400, subclass 625.

The inventions are distinct, each from the other because of the following reasons:

2. Inventions I and II are related as combination and subcombination. Inventions in this relationship are distinct if it can be shown that (1) the combination as claimed does not require the particulars of the subcombination as claimed for patentability, and (2) that the subcombination has utility by itself or in other combinations (MPEP § 806.05(c)). In the instant case, the combination as claimed does not require the particulars of the subcombination as claimed because Group II does not require the specific bearing for patentability. The subcombination has separate utility such as a bearing supporting a journal surface.
3. Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification, restriction for examination purposes as indicated is proper.
4. During a telephone conversation with Steven Ormiston on 2/15/05 a provisional election was made without traverse to prosecute the invention of Group II, claims 9-14. Affirmation of this election must be made by applicant in replying to this Office action.

Claims 1-8 are withdrawn from further consideration by the examiner, 37 CFR 1.142(b), as being drawn to a non-elected invention.

5. Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 9-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nicholson et al. (US Patent 4,796,878) in view of Foote (US Patent 3,627,3890).

Regarding claims 9-11, Nicholson et al. teaches a chassis (12), a motor (M) mounted to the chassis (Figure 3,3a), a rotatable shaft (26a,39a,56c,81) operatively coupled to the motor (Column 1, Lines 53-55), a roller (26) affixed to the shaft (Figure 3a), an idler (40) disposed opposite the roller, the idler and the roller engagable with one another to form a nip therebetween (Figure 3), bearings (28b,30b,97a,97b) mounted to the chassis (12) and supporting the shaft (26a,39a,56c,81), each bearing having a cylindrical inner bearing surface (Figures 2 and 3) and a shaft (26a39a,56c,81)

rotatable against a bearing surface. However, he does not explicitly disclose a shaft including a bearing including a bushing (spherical journal surface) defining and rotatable against a bearing surface and a body holding the bushing, wherein each bushing is pressed into the body of the bearing.

Foote teaches a bearing assembly (10) with a shaft (Column 2, Lines 10-15) including a cylindrical bushing (14) that is pressed (Column 3, Lines 19-21) into the body of the bearing (Figures 1-5). It would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify the invention as taught by Nicholson et al. to replace a bearing thereof with a bearing with a pressed bushing as taught by Foote, since Foote teaches that it is advantageous to provide a tight/snug engagement in order to prevent separation during operation.

Regarding claims 12 and 13, Nicholson et al. teaches the claimed invention with the exception of a part mounting a bearing to a chassis and the body of a bearing integral with a mounting part. Foote teaches a mounting part (13) that is integral (attached to bearing as shown in Figure 3) with the body of a bearing (10). It would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify the invention as taught by Nicholson et al. to include a mounting part as taught by Foote, since Foote teaches that it is advantageous to fixedly secure the bearing assembly within a housing.

3. Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Yergenson (US Patent 5,655,762) in view of Foote (US Patent 3,627,3890)

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Yergenson teaches a chassis (Column 4, Line 34), a print engine (Column 4, Lines 2-3), a feed mechanism (16) operative to move media sheets along a media path through the print engine (Figure 2), a printer controller (Column 6, Lines 49-67) configured to control the operation of the print engine, the feed mechanism including a motor (Column 3, Lines 52-53) mounted to the chassis, a rotatable shaft (shaft 22 and obviously there is a shaft provided for feed roller 30) operatively coupled to the motor, a roller (20) affixed to the shaft and an idler (20) disposed opposite the roller (30), the idler and the roller engagable with one another to form a nip therebetween (Figure 2). However, he does not explicitly disclose bearings mounted to the chassis and supporting the shaft, each bearing having a cylindrical inner bearing surface and a shaft having a spherical journal surface inside and rotatable against each bearing surface.

Foote teaches a bearing (10) mounted to a housing (Abstract) supporting the shaft (Column 2, Lines 11-15) and each bearing (10) having a cylindrical inner bearing surface (Figures 1-5) rotatable against each bearing surface. It would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify the invention as taught by Nicholson et al. to include a mounting part as taught by Foote, since Foote teaches that it is advantageous to fixedly secure the bearing assembly within a housing.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Marissa L. Ferguson whose telephone number is (571)

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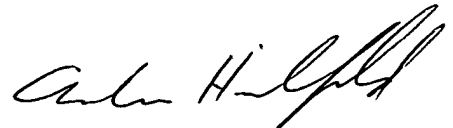
272-2163. The examiner can normally be reached on (M-T) 6:30am-4:00pm and every other (F) 7:30am-4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Hirshfeld can be reached on (571) 272-2168. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Marissa L Ferguson  
Examiner  
Art Unit 2854

MLF  
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